

TOWN OF HAMPTON STATE OF NEW HAMPSHIRE 2005 TOWN WARRANT

To the Inhabitants of the Town of Hampton, in the County of Rockingham, and State of New Hampshire, qualified to vote in town affairs:

You are hereby notified to meet at eight-thirty o'clock in the forenoon in the auditorium at Winnacunnet High School on Saturday, February 5, 2005, for the first session of the Annual Town Meeting for the transaction of all business other than voting by official ballot.

In accordance with the action on Article 14 in the 1996 Town Warrant (pursuant to RSA 40:13) the second session of the Annual Meeting to elect officers by official ballot, to vote on questions required by law to be inserted on said official ballot, shall be held on Tuesday, March 8, 2005 at seven o'clock in the forenoon at the Marston School, Marston Way. The polls will not close before eight o'clock in the evening.

ARTICLE 1

To choose by non-partisan ballot: Two (2) Selectmen for Three Years; One (1) Town Treasurer for Three Years; One (1) Trustee of the Trust Funds for Three Years; One (1) Supervisor of the Checklist for Three Years; Two (2) Library Trustees for Three Years; Two (2) Planning Board Members for Three Years; One (1) Cemetery Trustee for Three Years; Four (4) Municipal Budget Committee Members for Three Years; Two (2) Zoning Board of Adjustment Members for Three Years, Nine (9) Charter Commission members for Eighteen Months.

ARTICLE 2

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board to amend the Zoning Ordinance, Section 1.2 as follows?

Section 1.2 Reconstruction of Non-Conforming Uses

In the event of the damage or destruction by fire, storm, ~~or~~ Act of God, or the intentional demolition and/or removal of any building not conforming to the regulations of this Ordinance, said building may be rebuilt for its former non-conforming use provided such construction is started within ~~a one~~ year of its damage, demolition, or destruction and is completed within two years; the structure shall, however, conform to the dimensional requirements of the Ordinance and to the Building Ordinances and Regulations of the Town of Hampton as amended.

ARTICLE 3

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board to amend the Zoning Ordinance, Section 2.3 Wetlands Conservation District (as listed below) to conform with changes in State Law, RSA 482-A:2 and 674:55?

Section 2.3 Wetlands Conservation District

2.3.1 PURPOSE. "In the interest of protecting the public health, safety and welfare the Wetlands Conservation District has been established to protect, preserve and prevent the despoliation and unregulated alterations of 1) wetlands, 2) areas of very poorly drained soils and poorly drained soils and 3) their buffers. It is in the public interest to protect the valuable functions these areas provide such as habitat for fish, wildlife and flora, ground water protection, storm water and flood control, nutrient and pollutant filtering, recreation and aesthetic enjoyment. (Amended March, 1998)

The Wetlands Conservation District is intended to:

A. Prevent the destruction of natural wetlands and areas of very poorly drained soils and poorly drained soils, all of which provide flood protection, are connected to the ground or surface waster supply, ~~provide~~ augmentation of stream flow during dry periods;

B. Prevent the development of structures and land uses on wetlands, areas of very poorly drained soils and poorly drained soils, and/or their buffers, which would contribute to pollution of surface and ground water by sewage or other wastes or toxic materials;

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

F. Preserve and enhance the aesthetic values associated with wetlands and areas of very poorly drained soils and poorly drained soils in Hampton;

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

2.3.2 DEFINITIONS AND DELINEATIONS.

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

A. Tidal Wetlands are defined and delineated as:

1. Prime tidal wetlands ~~is are~~ defined in Appendixes 1 & 2, ~~and A~~ more detailed or updated study accepted by the Hampton Planning Board upon recommendation of the Conservation Commission shall supersede ~~the Richardson study~~ Appendixes 1 & 2 where it is shown to be incomplete or inaccurate. (Amended March, 1998)

2. Deleted. (Amended March, 1998)

B. Inland Wetlands ~~are those lands submerged under fresh water, including any marsh, swamp, bog or meadow subject to permanent or periodic flooding, including the surrounding shore and any abutting soil designated as poorly drained or very poorly drained and as defined and delineated in Appendix 3. (Amended March, 1998)~~ means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

C. Areas of very poorly drained soils and poorly drained soils

1. Very poorly drained soils are those soils in which water is removed from the soil so slowly that the water table remains at or on the ground surface most of the year.

2. Poorly drained soils are those soils in which water is removed so slowly that the soil remains wet for a large part of the year. A poorly drained soil has a water table near the ground surface that keeps the soil wet for seven to nine months of the year.

CD. The Wetland Conservation District includes Tidal Wetlands, Inland Wetlands, Areas of very poorly drained soils and poorly drained soils, and their Buffers. The precise location of the wetland boundary in any particular case must be determined by on-site inspection of soil types and vegetation. (Amended March, 1998)

~~**DE.**~~ Any more detailed or updated study accepted by the Hampton Planning Board upon recommendation of the Conservation Commission shall supersede the Soils Conservation Service study where it is shown to be incomplete or inaccurate. (Amended March, 1998)

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

2.3.4 BUFFER PROVISIONS

Definition

For the purpose of this Ordinance, the following term shall have the meaning given herein:

“BUFFER”, is the area extending fifty feet (50 ft.) out from 1) the wetland boundary line, and/or 2) the boundary line of areas of very poorly drained soils and poorly drained soils. The buffer is intended to provide a natural vegetative zone between the wetland and property drained non-wetlands for water filtration, storm water retention, flood protection and wildlife habitat. (Amended March, 1998)

A. No septic system, leach field or other on-site waste disposal facility shall be installed within 75' (seventy-five) feet of the edge of any wetland, or any area of very poorly drained soils and poorly drained soils defined. ... <SECTIONS NOT SHOWN WILL NOT BE AMENDED>

B. No structure, impermeable surface, parking space or building activity including dredging, filling ~~and~~ or regrading shall be permitted within fifty feet (50') of any wetland, or any area of very poorly drained soils and poorly drained soils, except as provided in Subsections C & D of this Section. Any construction, forestry and agriculture activities within one hundred feet (100 ft.) of any wetland, or any area of very poorly drained soils and poorly drained soils shall be undertaken with special care to avoid erosion and siltation into the wetlands, or areas of very poorly drained soils and poorly drained soils. The Building Department or the Planning Board, pursuant to its Site Plan Review and/or Subdivision authority, Section 1.5 of the Town of Hampton Zoning Ordinance, may require an erosion control plan using Best Management Practices (see Appendix Number 4). (Amended March, 1998)

D. Where a variance is granted for building on a pre-existing lot of record, the setback may be in line with the setback of existing buildings within 100' (one hundred feet) on either side. Where adjacent buildings are set back varying distances, but closer than 50' (fifty feet) from the wetland boundary, or boundary of areas of very poorly drained soils and poorly drained soils, the greater setback shall be observed. (Amended March, 1998)

ARTICLE 4

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board to amend the Zoning Ordinance, Section 2.3.7 by inserting the following new Section C-a after existing Section C?

2.3.7 SPECIAL PROVISIONS

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

C-a. Wetlands and areas of very poorly drained soils and poorly drained soils, excluding bodies of water, may be used to satisfy minimum lot area, and minimum lot area per dwelling unit, and set-back requirements for existing lots of record provided that:

1. A minimum of 75% of the minimum lot area required in the underlying zoning district or 30,000 square feet (whichever is less) shall be outside of the wetlands and areas of very poorly drained soils and poorly drained soils;
2. For lots that will contain more than one dwelling unit, a minimum of 75% of the minimum lot area per dwelling unit required in the underlying zoning district or 30,000 square feet per dwelling unit (whichever is less) shall be outside of the wetlands and areas of very poorly drained soils and poorly drained soils;
3. The remaining lot area contains at least 5,000 contiguous square feet of buildable land outside of the Wetland Conservation District for a municipally sewerd lot and 30,000 contiguous square feet of buildable land outside of the Wetland Conservation District where on-site sewage disposal is required, provided that the septic system location and design are approved by the NH Department of Environmental Services, Water Supply and Pollution Control Division or successor State agency. (Amended March, 1998, 2003)

ARTICLE 5

Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board to amend the Zoning Ordinance, portions of Section 2.4 Special Flood Area and Section 11.6 Floodplain Development Regulations (as listed below) to adopt new Flood Insurance Rate Maps, which have been prepared by the Federal Emergency Management Agency (FEMA)? Adoption of these maps is required by FEMA and failure to pass this amendment will subject the Town to suspension from the National Flood Insurance Program.

Section 2.4 Special Flood Area

~~Special Flood Area as delineated on the Flood Insurance Rate maps of the Town of Hampton dated July 3, 1986, as prepared by the Federal Emergency Management Agency — Federal Insurance Administration.*(Adopted 1987)~~ The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Rockingham, NH" dated May 17, 2005 or as amended, together with the associated Flood Insurance Rate Maps dated May 17, 2005 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

Area of special flood hazard means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. The area is designated as zone A on the Flood Hazard Boundary Map (FHBM) and is designated on the FIRM as zones: ~~A, B, AO, A2, V2, and V3~~ A, AE, AH, AO, AR, A99, V, and VE.

Special Flood Hazard Area means an area having flood, mudslide, and/or flood-related erosion hazards, and shown on an FHBM or FIRM as zone ~~A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M, or E~~ A.

AE, AH, AO, AR, A99, V, and VE. (See - "Area of Special Flood Hazard")

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

Section 11.6 Floodplain Development Regulations

~~The following regulations shall apply to all lands designated as flood hazard areas by the Federal Emergency Management Agency in its "Flood Insurance Study for the Town of Hampton, NH, dated July 3, 1986, which are declared to be part of this Ordinance. * (Adopted 1987)~~ The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Rockingham, NH" dated May 17, 2005 or as amended, together with the associated Flood Insurance Rate Maps dated May 17, 2005 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference. In Section 11.6 Floodplain Development Regulations, replace all references to "Zones 'A1 through A30'" with "Zone AE" and references to "Zones V1-30" or "Zones V1-V30" with "Zone VE".

ARTICLE 6

Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board to amend the Town's Impact Fee Ordinance (as listed below) to conform with changes in State Law, RSA 674:21?

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

- 4.5** ~~Impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development; however, nothing shall prevent the municipality and the assessed party from establishing an alternate, mutually agreeable, schedule of payment.~~ All impact fees imposed pursuant to this section shall be assessed at the time of Planning Board approval of a subdivision plat or site plan. When no Planning Board approval is required, or has been made prior to the adoption or amendment of this Ordinance, impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development.
- 5.2** ~~**Assessment:** All impact fees imposed pursuant to this section shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development, as determined by the Planning Board.~~ All impact fees imposed pursuant to this section shall be assessed at the time of Planning Board approval of a subdivision plat or site plan. When no Planning Board approval is required, or has been made prior to the adoption or amendment of this Ordinance, impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development.
- 5.4** ~~**Collection:** Impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development; however, nothing shall prevent the municipality and the assessed party from establishing an alternate, mutually agreeable, schedule of payment.~~ Impact fees shall be collected at the time a certificate of occupancy is issued. If no certificate of occupancy is required, impact fees shall be collected when the development is ready for its intended use. Nothing in this subparagraph shall prevent the municipality and the assessed party from establishing an alternate, mutually acceptable schedule of payment of impact fees.

ARTICLE 7

Shall the Town of Hampton vote to authorize the Selectmen to enter into a long-term lease/purchase agreement in the amount of \$845,000 payable over a term of sixty months at a rate of \$17,182 per month to purchase a fire ladder truck for the fire department and to raise and appropriate \$206,184 for the first year's payment for this purpose? Such authorization shall include all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project. (60% vote required)

Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 8

Shall the Town of Hampton raise and appropriate as an operating budget, not including appropriations by special or individual warrant articles and other appropriations voted separately, the amounts set forth in the budget posted with the warrant, for the purposes set forth therein, totaling \$26,392,546? Should this article be defeated, the operating budget shall be \$23,552,795 which is the same as last year, with certain adjustments required by previous action of the Town Meeting or by law, or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

NOTE: This Warrant Article (Operating Budget) does not include appropriations in ANY other warrant article.

Majority vote required.
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 9

Shall the Town of Hampton vote to raise and appropriate \$350,000 to be added to the Road Improvement Capital Reserve Fund established by Article 16 of the 1998 Town Meeting pursuant to the provisions of RSA 35:1?

Majority vote required.
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 10

Shall the Town of Hampton vote to raise and appropriate \$210,000 for the purpose of constructing a salt shed at the public works yard? Such authorization shall include all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 11

On petition of Peter Olney, 39 Esker Road, Hampton, NH 03842 and twenty-five registered voters: Shall the Town of Hampton raise \$150,400 and appropriate \$752,000 to fund the 20% local share of, and to accept an 80% share from a CMAQ grant for all costs of procurement, engineering, design, and construction work associated with a bike path project along High Street eastward from Lafayette Road, southward on Towle Avenue and eastward on Winnacunnet Road to Ocean Boulevard. (By petition)

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 12

Ellen D. Goethel, and 25 or more registered voters in the Town of Hampton request that the town vote to raise and appropriate the sum of \$150,000 to add to the Conservation Commission's Conservation Land Fund for the purchase, appropriation, maintenance and protection of conservation land and open space within the Town of Hampton. (By petition)

Majority Vote Required
Not Recommended by the Board of Selectmen
Not Recommended by the Budget Committee

ARTICLE 13

Shall the Town of Hampton vote to raise and appropriate \$150,000 for the purpose of constructing, replacing, and/or upgrading sewer mains throughout town as determined by the Public Works Director to be the highest priorities for such work? Such authorization shall include all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 14

Shall the Town of Hampton vote to raise and appropriate the sum of \$125,000 to rebuild the tennis courts and basketball courts at Tuck Field. This would include costs of procurement, design, drainage, resurfacing, removal and resetting of fence and net post footings, basketball stanchions and painting of the surface and surrounding finishing work.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 15

Shall the Town of Hampton vote to raise and appropriate \$88,000 for the purpose of constructing a vehicle wash-down facility at the public works yard? Such authorization shall include all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 16

On petition of at least 25 voters of the Town of Hampton, shall the Town vote to raise and appropriate \$80,000 for engineering and related professional services to design and prepare design documents and cost estimates for the connection and extension of sewer along Towle Farm Road and providing sewer service to the structures on Towle Farm Road and on streets and roads that intersect with Towle Farm Road, in conformance with the 201 Facilities Plan? (By petition)

Majority Vote Required
Recommended by the Board of Selectmen
Not Recommended by the Budget Committee

ARTICLE 17

Shall the Town of Hampton vote to raise and appropriate \$75,000 to make repairs to the Lane Memorial Library? Such authorization shall include all design, architectural, engineering, demolition, removal, procurement, construction, landscaping, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 18

Shall the Town of Hampton vote to raise and appropriate the sum of \$45,000 for the purposes of preparing conceptual design plans that would include at a minimum preparing a feasibility study, a study of space and site needs, and the development of floor plans and elevations for a community center for the Town of Hampton?

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 19

On petition of Matt Shaw, Richard Bateman, David Lang and at least twenty-four other legal voters of the Town of Hampton, to see if the Town will vote to raise and appropriate the sum of \$20,000 for the addition of needed grave space at the High Street Cemetery. (By petition)

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 20

On petition of Ginni McNamara, 4 Randall Street, Hampton, New Hampshire and at least twenty-five or more registered voters of the Town of Hampton: To see if the Town will vote to support the Children's Christmas Parade presented by the Hampton Area Chamber of Commerce and related activities and raise and appropriate the sum of \$3,500 to help defray the expense of the 2005 event. Said funds to be paid to the Hampton Area Chamber of Commerce. This article will become void if petition is passed and sum is included in the 2005 operating budget. (By petition)

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 21

We, the undersigned, registered voters living in the Town of Hampton, request that the Board of Selectmen grant the request of Families First Health and Support Center for \$2,000 to be used to bring parenting classes to the Hampton region. (By petition)

Majority Vote Required
Not Recommended by the Board of Selectmen
Not Recommended by the Budget Committee

ARTICLE 22

Shall the Town of Hampton appropriate only the sum of \$650,000 from the Hampton Emergency Medical Services Fund, a Special Revenue Fund created by Article 15 of the 2000 Town Meeting and funded with revenues generated from ambulance and emergency medical service calls, to provide, improve, and/or enhance ambulance and emergency medical services. Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the emergency medical services could not be funded.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 23

Shall the Town of Hampton appropriate only the sum of \$350,000 from the Hampton Recreation Fund, a Special Revenue Fund created by Article 19 of the 2000 Town Meeting and funded with revenues generated from recreation department programs and activities, to fund programs and activities through the Recreation and Parks Department? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the Recreation and Parks Department could not be funded.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 24

Shall the Town of Hampton appropriate only a sum not to exceed \$350,000 to make improvements on Brown Avenue, Carlson Road, Cranberry Lane, Huckleberry Lane, Hurd Road, Langdale Drive, Merrill Industrial Drive, Moulton Road, Oakdale Avenue, Presidential Circle, Sweetbriar Lane, Timber Swamp Road, Trafford Road, Windmill Lane, Drakeside Road, and Kings Highway to include street repairs, reconstruction and associated materials and labor necessary to do the work, and also to include associated drainage system maintenance, upgrades and improvements, and to authorize withdrawal of up to \$350,000 from the Road Improvement Capital Reserve Fund created for that purpose? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that these road improvements could not be funded.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 25

Shall the Town of Hampton appropriate only the sum of \$350,000 from revenues generated for the Hampton Private Detail Fund, a Special Revenue Fund created by Article 17 of the 2000 Town Meeting and funded with revenues generated from Police and Fire department private details, to fund Police and Fire Department private details? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the Police and Fire Department private details could not be funded.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 26

Shall the Town of Hampton appropriate only the sum of \$200,000 from revenues generated from the Fire Alarm Fund, a Special Revenue Fund created by Article 53 of the 2003 Town Meeting to operate, upgrade and maintain the Fire Alarm System in the Town of Hampton? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the Fire Alarm System could not be funded.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 27

Shall the Town of Hampton appropriate only the sum of \$200,000 from revenues generated from the Police Forfeiture Fund, a Special Revenue Fund created by Article 55 of the 2003 Town Meeting to carry out all lawful functions allowed under federal, state and local criminal justice forfeiture programs? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that these functions could not be funded.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 28

Shall the Town of Hampton appropriate only the sum of \$70,000 from revenues generated from the Hampton Cable TV Local Origination Fund, a Special Revenue Fund created by Article 21 of the 2000 Town Meeting and funded with revenues generated from the Cable TV local origination franchise agreement funds, to upgrade, expand, and enhance the development of the local origination channel? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the Hampton Cable TV could not be funded.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 29

Shall the Town of Hampton appropriate only the sum of \$25,552, generated from the sale of town-owned cemetery lots, to the Cemetery Burial Trust Fund; the interest from this Fund is withdrawn annually and deposited in the Town's General Fund as an offset to the amount appropriated in the operating budget for the maintenance of the cemeteries. This appropriation will not affect the Town's tax rate.

Majority Vote Required
Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 30

Shall the Town of Hampton authorize the Board of Selectmen to appoint a special committee to study and report to the Board of Selectmen their findings and recommendations regarding the possible acquisition by the Town of Hampton of Aquarion Water of New Hampshire.

ARTICLE 31

Shall a Charter Commission be established for the purpose of revising the municipal charter or establishing a new municipal charter?

ARTICLE 32

Shall the Town of Hampton vote to authorize the Board of Selectmen to exchange with the State of New Hampshire and/or the NH Department of Transportation, the Town's ownership of Ashworth Avenue in return for the State's ownership of that portion of Ocean Boulevard that lies between its north and south intersections with Ashworth Avenue?

ARTICLE 33

Shall the Town of Hampton vote to adopt the provisions of NH RSA Chapter 149-I pertaining to sewers so as to authorize the Board of Selectmen to perform all the duties and possess all the powers in the Town of Hampton that are conferred by RSA Chapter 149-I upon the mayor and aldermen in cities?

ARTICLE 34

Shall the Town of Hampton vote to rescind its adoption of RSA 32: 14-23, the Budget Committee portion of the Municipal Budget Law, and adopt in its place an advisory Budget Committee that shall make recommendations only to the Governing Body. (By petition)

ARTICLE 35

Shall the Town of Hampton amend Chapter 2 – Article 15 of the Town Ordinances to read as follows:

Sec. 2:1501 Waste Collection and Storage

- (a) Solid waste on the premises shall be stored in a manner as to make it inaccessible to insects, rodents and birds. Outside storage of unprotected plastic bags or wet-strength paper bags or baled units containing solid waste shall be prohibited. Cardboard or other packaging material shall not be required to be stored in covered containers.

- (b) Outside storage areas or enclosures shall be large enough to store the solid waste containers that accumulate and shall be kept clean. Solid waste containers, dumpsters and compactor systems located outside shall be stored on or above a smooth surface or nonabsorbent material, such as concrete or asphalt, that is kept clean and maintained in good repair.
- (c) Trash containers must be placed in front of the property as close to the curbline as possible without blocking the way. Town employees shall not be required to handle trash or trash containers which fall within the following descriptions:
 - 1. Loose, uncontained material such as sand, gravel, leaves, scrap wood, masonry, steel, stone, garbage, dead animals, or manure.
 - 2. Containers which contain substantial amounts of the foregoing.
 - 3. Containers that are filled so as to be grossly unwieldy.
 - 4. Containers larger than a volume of 32 U.S. gallons.
 - 5. Containers with a gross weight in excess of 75 pounds.
 - 6. Containers which are so worn or damaged as to make them likely to fail.
 - 7. The contents of containers which spill due to failure of a worn or damaged container.
- (d) All trash for collection must be in appropriate covered containers. Trash bags alone shall be unacceptable. Boxes and corrugated material shall be broken down, flattened and neatly tied in bundles not exceeding 24" wide x 24" deep x 12" high. No person and/or business shall use the public trash containers for disposal of their own trash generated on their premises.
- (e) Places of business within the boundaries of BS (Business Seasonal Zone) depositing trash for collection may place appropriate containers at the curbline between the hours of 10:00 PM on the day prior to collection and 5:00 AM on the day of collection. No such business shall be permitted to leave trash for collection by public or private means on any way between the hours of 5:00 AM and 10:00 PM on any day.
- (f) Places of business outside of the boundaries of the BS Zone depositing trash for collection may place appropriate containers at the curbline between the hours of 8:00 PM on the day prior to collection and 5:00 AM on the day of collection. No such business shall be permitted to leave trash for collection by public or private means on any way between the hours of 5:00 AM and 8:00 PM on any day.
- (g) Residences within the boundaries of the Hampton Beach Village District depositing trash for collection may place appropriate containers at the curbline between the hours of 9:00 PM on the day prior to collection and 5:00 AM on the day of collection. No such residence shall be permitted to leave trash for collection by public or private means on any way between the hours of 5:00 AM and 9:00 PM on any day.
- (h) Residences outside of the boundaries of the Hampton Beach Village District depositing trash for collection may place appropriate containers at the curbline between the hours of 8:00 PM on the day prior to collection and 5:00 AM on the day of collection. No such residence shall be permitted to leave trash for collection by public or private means on any way between the hours of 5:00 AM and 8:00 PM on any day.

Penalty Any person violating any of the provisions of this Article or the rules and regulations made under the authority thereof, shall be liable to a penalty of not more than One Hundred Dollars for each offense.

ARTICLE 36

To see if the Town will vote to establish a Municipal Transportation Improvement Fund to assist the community in supporting, wholly or in part, improvements to the local and regional transportation system as set forth in RSA 261:153 & VI. This will be a capital reserve fund whose proceeds are to be used to fund eligible local transportation projects such as parking improvements, public transportation, roadway improvements, signal upgrades, and development of new bicycle and pedestrian paths. (By petition)

ARTICLE 37

To see if the Town of Hampton will vote to collect an additional motor vehicle registration fee of \$5.00 per vehicle for the purpose of supporting the Hampton Municipal Transportation Improvement Fund. As set forth in RSA 261:153 & VI (b), this fee would apply to all motor vehicles with the exception of all terrain vehicles, and antique motor vehicles or motorcycles. The effective date of this article would be 7/1/05. The Town Clerk's Office would retain fifty cents for each registration for administrative costs.
(By petition)

ARTICLE 38

By petition of Ann T. Meltonian along with the required registered voters request the Town Meeting of Hampton to authorize installation of an 8'x10' shed on Map 125 Lot 442. It's placement would conform to all boundary requirements. It will have vinyl siding and be erected on the northwesterly corner of the rear yard.

HAMPTON BOARD OF SELECTMEN

William H. Sullivan, Chairman

Virginia B. Bridle-Russell, Vice Chairman

James A. Workman

C. J. "Cliff" Pratt

Rick Griffin

A true copy attest:

William H. Sullivan, Chairman

Virginia B. Bridle-Russell, Vice Chairman

James A. Workman

C. J. "Cliff" Pratt

Rick Griffin